

October 9, 2002

Ms. Janice V. Silverberg
President, Board of Education
Irvington Union Free School District
North Broadway
Irvington, NY 10533

Dear Ms. Silverberg:

I am responding to your letter of April 17, 2002, to President Bush that was recently forwarded to the U.S. Nuclear Regulatory Commission (NRC) in which you addressed issues raised by the Board of Education for the Irvington Union Free School District about security and emergency preparedness at the Indian Point Nuclear Generating Unit Nos. 2 and 3 (Indian Point). In your letter, you stated that the Board of Education was being asked about school safety, evacuation planning, emergency intervention, and the possibility of distributing potassium iodide in the event of an attack on Indian Point. In this regard, you requested that clear guidelines be provided for your schools on the public health issues that may result from an attack on Indian Point. In addition, you requested assurance that Indian Point be safely operated and adequately secured.

In view of the unprecedented events of September 11, 2001, NRC Chairman Richard Meserve, with the full support of the Commission, has directed the NRC staff to undertake a comprehensive re-evaluation of NRC's security and safeguards programs. This review involves coordination with other Federal agencies. On February 25, 2002, the NRC issued Orders to all commercial nuclear power plants to implement interim compensatory security measures for the current threat environment. Some of the requirements formalize a series of security measures that NRC licensees had already taken in response to advisories issued by the NRC following the terrorist attacks, and others are security enhancements which have emerged from the Commission's ongoing security review. Entergy Nuclear Operations, Inc., the licensee for the Indian Point facility, has completed the required actions to fully comply with the Orders. In addition, New York State has augmented security at Indian Point with National Guard personnel and State police. Further, the New York State Office of Public Security, working with various Federal and State agencies, including the Federal Bureau of Investigations, has assessed the long-term security needs at Indian Point. The Office of Public Security report made a number of recommendations to enhance security which Entergy has either implemented or is considering. The NRC and the Federal Emergency Management Agency (FEMA) have been working with the Office of Public Security, the New York State Emergency Management Office, and other State and local agencies to enhance coordination involving security and emergency preparedness and planning.

We cannot rule out the possibility of future terrorist attack on the Indian Point facility; however, we believe that these facilities can continue to operate safely. Nuclear power plants are inherently robust. Their design is based on defense-in-depth principles and includes many features to protect public health and safety. Reinforced containment buildings and redundant safety systems would allow trained operators to prevent or limit the release of radioactive material in the unlikely event of a terrorist attack or other disaster. In light of the facility's

defense-in-depth design, the heightened security measures implemented in response to the events of September 11th, and the NRC's ongoing reevaluation of its safeguards and security programs, we do not consider the immediate closure of Indian Point to be necessary to protect the public health and safety.

With respect to emergency preparedness, NRC regulations require that comprehensive emergency plans be prepared and periodically exercised to assure that actions can and will be taken to protect citizens in the vicinity of a nuclear power plant. The NRC and FEMA are the two Federal agencies responsible for evaluating emergency preparedness at and around nuclear power plants. The NRC is responsible for assessing the adequacy of onsite emergency plans developed by the utility, while FEMA is responsible for assessing the adequacy of offsite (State and local) emergency planning. The NRC relies on FEMA's findings in determining that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency.

Emergency planning is based upon protection of the public from potential adverse radiological health effects that might occur as a result of an event at a nuclear power plant. The current emergency plans are designed to cope with a spectrum of accidents, from the most insignificant to the most severe, from those with no releases to those with significant releases. Whether the event is the result of a terrorist attack or sudden catastrophic failure of plant equipment, the response would be driven, not by the initiating conditions, but rather by the actions necessary to ensure public health and safety.

Emergency response plans are periodically updated. FEMA, with the assistance of the Regional Assistance Committee, a panel of experts in various aspects of emergency preparedness from a number of Federal agencies, periodically reviews these plans. These reviews consistently indicate that the emergency response plans for Indian Point provide a sound framework for effective decision making and implementation of essential emergency preparedness functions.

Emergency planning is a dynamic process. While the emergency response plans have been found adequate, FEMA, the State, the counties, and Entergy are working closely on further enhancements. These enhancements consider such issues as the locations of school reception centers, traffic control contingencies, and potassium iodide distribution and use. As you are probably aware, the biennial emergency response exercise was conducted on September 24, 2002 at Indian Point, and provided an integrated test of Entergy, the State, and counties' preparedness. This exercise was evaluated using a new methodology, developed from FEMA's strategic review of the Radiological Emergency Preparedness Program, which results in a more realistic exercise of preparedness for an actual event. FEMA's findings will be issued later this year, but the preliminary assessment indicates that the offsite emergency plans are adequate to protect the health and safety of the public.

In coordination with FEMA and the Food and Drug Administration (FDA), the NRC has established policy with respect to KI distribution within the 10-mile emergency planning zone of each nuclear power plant. We are currently shipping KI tablets at Federal expense to States that have requested KI as part of their emergency response plans. New York and a number of

other States have done so thus far. NRC coordinates closely with FEMA, FDA and the States with respect to this issue. Additional information on the NRC KI program is posted on the NRC website: <http://www.nrc.gov/what-we-do/regulatory/emer-resp/emer-prep/potassium-iodide.html>.

Thank you for your interest in these concerns of importance to the Nation and nuclear power plant safety. If you should have any further questions, please feel free to contact me at 301-415-1353 or Patrick Milano at 301-415-1457.

Sincerely,

/RA/

Stuart A. Richards, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

other States have done so thus far. NRC coordinates closely with FEMA, FDA and the States with respect to this issue. Additional information on the NRC KI program is posted on the NRC website: <http://www.nrc.gov/what-we-do/regulatory/emer-resp/emer-prep/potassium-iodide.html>.

Thank you for your interest in these concerns of importance to the Nation and nuclear power plant safety. If you should have any further questions, please feel free to contact me at 301-415-1353 or Patrick Milano at 301-415-1457.

Sincerely,

/RA/

Stuart A. Richards, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

DISTRIBUTION:

| | | | |
|--------------------|-----------------------|-------------------|---------------|
| PUBLIC | S. Collins/J. Johnson | H. Miller, R-I | OPA |
| PDI-1 R/F (w/incs) | B. Sheron | P. Eselgroth, R-I | OCA |
| W. Travers | W. Borchardt | T. Walker, R-I | OSP |
| W. Kane | J. Zwolinski/T. Marsh | R. Bores, R-I | SECY (CRC No. |
| C. Paperiello | S. Richards | B. Platchek, R-I | 02-0603) |
| P. Norry | R. Laufer | J. Davis, NSIR | T. Carter |
| J. Craig | R. Sullivan | S. Little | (GT20020546) |
| K. Cyr/S. Burns | J. Wigginton | L. Cox | K. Johnson |
| R. Zimmerman, NSIR | P. Milano | | |

INCOMING NO: ML022660029

ACCESSION NO: ML022810509

PACKAGE: ML022810543

*See previous concurrence

| | | | | | |
|--------|-------------------|-----------|------------|----------|----------|
| OFFICE | PDI-1/PM | PDI-1/LA | IEHB\ASC* | PDI-1\SC | NSIR* |
| NAME | PMilano | SLittle | JWigginton | RLaufer | JDavis |
| DATE | 10/8/02 | 10/8/02 | 10/04/02 | 10/8/02 | 10/07/02 |
| OFFICE | R-IDRP | PD\ID | | | |
| NAME | TWalker by e-mail | SRichards | | | |
| DATE | 10/07/02 | 10/8/02 | | | |

OFFICIAL RECORD COPY